


Dao Yang
4444 Fallgold Parkway North
Brooklyn Park, MN 55443

January 18, 2024

The Honorable Judge Daniel J. Calabretta
Robert T. Matsui United States Courthouse
501 I Street, 13th Floor, Courtroom 10
Sacramento, CA 95814

FILED

JAN 23 2024

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY 
DEPUTY CLERK

Re: *Seng Xiong, et al. vs. Lao PDR, et al.*
Court File No. 2:23-CV-02531-DJC-DB

Dear Your Honor:

I humbly write to request that this Court summarily dismiss the *Complaint* and all the allegations against me in the matter referenced-above.

I was personally served with the *Summons* and *Complaint* while visiting my son's home in Brooklyn Park, Minnesota, on January 8, 2024.

I take the liberty of introduce myself. I am a former Hmong refugee from the late Kingdom of Laos. My official name is Dao Yang. Dao is my first name and Yang is my last name. According to our Hmong and Asian cultural traditions, we put the first name first and the last name after. Therefore, my relatives and friends around the world generally call me Dr. Yang Dao. I am the first Hmong in Asia to receive a Ph. D. in Social Science, in May 1972, at the Sorbonne University of Paris, France. In April 1974, I was appointed by His Majesty King Sisavang Vathana as a member of the Lao National Political Consultative Counsel of Coalition (Lao National Congress). Before the communist takeover of Laos in 1975, my family and I took the road of exile to Thailand (May 1975-June 1976), to France (July 1976-December 1972) and, finally, to the United States of America (January 1983 to present).

Today, I am 81 years old and a retired American Citizen living in Brooklyn Park, MN, not in Inola, Oklahoma as claimed by the Plaintiffs. I have never known, interacted with, or met any of the Plaintiffs, Messrs. Seng Xiong, Thao Xiong, Lor Vang and Lue Vang. They do not know me personally, and I do not know them personally. I only learned about Mr. Seng Xiong and his Hmong State organization during his campaigns to solicit funds from the Hmong American Diaspora in the United States who are homesick. I learned about his subversive activities through the Hmong and American media during his trial.

Cc: Mr. Herman Franck, Esq. (via USPS)

With love for the Hmong and Lao people, both expatriates and those remain back in the homeland of Laos, I have dedicated my life service to support the US-Laos bilateral relationships that seek to promote peace, citizen diplomacy and positive relations between the United States and Laos to foster family reunification, trade, business and tourism, in which tens of thousands Hmong and Lao overseas are visiting their country of Laos every year. Congresswoman Betty McCollum and Honorable Craig Duehring, former Assistant Secretary of the Air Force for Manpower and Reserve Affairs, who are my friends and who know me very well and about the kind of public services I have done for my people.

I have publicly stated in the past that I do not believe that the United Nations and White House have supported Mr. Seng Xiong or his Hmong State “Hmong Tebchaws” organization to secure land for “Hmong Homeland”, and that China, Japan, Laos, Cambodian and Vietnam have all agreed to acknowledge the Hmong people and have saved a piece of land for the Hmong people as declared by Mr. Seng Xiong, leader of Hmong State organization, to the elderly Hmong. In addition to me, other Hmong leaders such as Professor Shoua Yang and Attorney Sia Lo have voiced similar statement to mine in Minnesota, U.S.A. Mr. Seng Xiong and the other plaintiffs (followers of Seng Xiong) have defamed us as “communists” and “spies” for the Lao P.D.R. because they did not support the false narrative of Mr. Seng Xiong and his Hmong State.

The United States was so concerned about Seng Xiong’s activities that they indicted and convicted him of mail fraud and wire fraud. See *U.S. v. Seng Xiong*, No. 16-CR-167 (SRN/HB). Mr. Herman Franck, Plaintiffs’ attorney in this case, has been involved in Mr. Xiong’s unsuccessful post-conviction motions in Minnesota.

Now, Mr. Xiong and the other plaintiffs (Mr. Xiong’s followers) are misusing this Court to harass and oppress me because I was outspoken against them during their scams.

The plaintiffs’ alleged causes of action are (1) a general allegation of violation of “Vietnam War Era Peace Treaties and War Crimes Treaties” and (2) a misapplication of the Alien Tort Claims Act. They falsely accuse that I, a private individual without political ties or power in the United States or in the country of Laos, allegedly personally engaged in violations of international treaties.

The Court must dismiss the *Complaint* with regard to me because:

- Within the four corners of the *Complaint* and on its face, the *Complaint* fails to establish jurisdiction, venue, or state a claim from which relief can be granted;
- All the allegations with regard to me are not true and do not have any basis in facts;

- The Plaintiffs wish to sue a foreign state, its ministers and asks this Court to hold an entire country, to which this Court does not have jurisdiction over, responsible for what may or may not be their domestic policies over their own citizens AND this has nothing to do with me, a private US Citizen;
- I have not violated any "Law of Nations" or any laws in the United States, abroad, or international laws; and
- I have not caused the Plaintiffs any damages.

Finally, I am not able to make any appearances in this frivolous lawsuit because I am now 81 years old, just had abdominal aneurysm surgery on December, 30, 2022, have limited mobility and have no money. I cannot travel and have no energy to defend these false and outrageous claims. I absolutely and resolutely deny any and all claims, allegations, and assertions against me in this vengeful, improper, and bad-faith lawsuit.

Therefore, I respectfully request Your Honor to immediately dismiss this *Complaint* and its allegations against me in the interest of justice and fairness. I thank you for your understanding.

Sincerely,

A handwritten signature in black ink, appearing to be 'Dao Yang', with a stylized, cursive script.

Dao Yang